

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

Christopher Cantwell,)
Plaintiff,) Civil Action No. 3:17Cv000089
)
v.) Judge: Norman K. Moon
)
)
Emily Gorcenski et al.)
Defendant.)

Rule 26(f) Report

1. Pursuant to Fed. R. Civ. P. 26(f), a meeting was held on February 28, 2018 and was attended by:

Counsel for Plaintiff: Elmer Woodard

Counsel for Defendants: None; Ms. Freeman agreed to a phone conference by email on 2/28/17 about 4:00 and was called at 4:29, message left; and again at 5:50 p.m., message left. (Eastern Time)

2. The parties:

 have exchanged the discovery disclosures required by Rule 26(a)(1);

XX will exchange such disclosures within 30 days of the filing of the Answer to the Complaint

 are exempt from disclosure under Rule 26(a)(1)(E); and/or

 have agreed not to make initial disclosures.

3. The parties:

 unanimously consent to the jurisdiction of, and entry of judgment by, the United States Magistrate Judge pursuant to 28 USC 636(c); and/or

X do not unanimously consent to the jurisdiction of and entry of judgment by the United States Magistrate Judge pursuant to 28 USC 636(c)

4. Recommended cut-off date for filing any motion to amend the pleadings and/or to add additional parties: April 1, 2018

5. Is the case appropriate for mediation after a limited discovery period?

No

Will the parties request the services of a court mediator?

No

Has a settlement demand been made? No

Date by which a settlement demand can be made? After initial dispositive motions

Date by which a response can be made to settlement demand?

6. Recommended Discovery Plan:

- a. Describe the subjects on which discovery is to be sought and the nature and extent of discovery that each party needs to: (1) make a settlement evaluation, (2) prepare for case dispositive motions, and (3) prepare for trial:

Allegations in the complaint, answers, allegations in the counterclaim, and answers

- b. What changes should be made, if any, in the limitations on discovery imposed under the Fed. R. Civ. P. or the WDVA Local Rules, including the limitations to twenty-five (25) interrogatories, forty (40) requests for admissions, and the limitation of ten (10) depositions, each lasting no more than one seven-hour day?

None

- c. Additional recommended limitations on expansions of discovery:

None.

- d. Describe the areas for which expert testimony is expected and indicate whether each expert will be specifically retained within the meaning of Fed. R. Civ. P. 26(a)(2):

Capabilities of Plaintiff's pepper spray

Recommended date for identifying primary experts: with initial disclosures

Recommended date for producing primary expert reports: with initial disclosures

- e. Recommended date for identifying rebuttal experts: 100 days after filing of amended complaint
- f. Recommended date for producing rebuttal expert reports: same
- g. Recommended discovery cut-off date: 90 days before trial date.

7. Recommended dispositive motion deadline: 75 days before trial date

9. Recommended date for trial: at earliest November 2018

10. Other matters for the attention of the Court:

To assist the Court in docketing this action for trial, the parties advise the Court that they currently estimate that each side (plaintiff and the two Defendants combined) would each need 1 day to present their respective cases, for a total estimated trial length of four days.

Respectfully Submitted,

/s/ Elmer Woodard

Elmer Woodard
Attorney at Law
5661 US Hwy 29
Blairs VA 24527
434-878-3422
VSB 27734
isuecrooks@comcast.net

CERTIFICATE OF SERVICE

The undersigned, being an attorney duly licensed to practice law in the State of Virginia, does hereby certify that a copy of the foregoing was duly served upon the opposing counsel this date as follows:

By personally hand delivering a copy the same to him or to one of his employees at his office;

By fax transmission;

XXX By electronic mail or the court's electronic means;

By depositing a copy of same in the United States Mail, postage prepaid, and addressed as follows:

ADDRESSEE:

Sandra C. Freeman, Esq.
Virginia State Bar No. 78499
5023 W. 120th Avenue, #280
Broomfield, Colorado 80020
sandra.c.freeman@protonmail.com 720-593-9004

This Wednesday, February 28, 2018.

A handwritten signature in black ink that reads "Elmer Woodard". The signature is written in a cursive style with a fluid, continuous flow of lines.